



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: September 16, 2008

Application Serial No.: 10/644,280 Confirmation No.: 7474
Applicant : Howard Sinkoff
Filed : August 20, 2003
Title : NOVEL CABLE TRAY ASSEMBLIES
TC/A.U. : 3632
Examiner : Steven M. Marsh
Docket No. : 7647-03468

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

Responsive to a Notice of Allowance dated June 18, 2008 as entered in the above-captioned matter, Applicant hereby respectfully submits the following comments on the Examiner's statements of reasons for allowance.


In the Examiner's statement of reasons for allowance, the Examiner indicated that, with respect to independent claims 6, 7, and 12, the prior art failed to disclose cable trays that included

“a connector receiving member connected to the base, with two parallel sections separated by a space and extending transversely across a width of a base portion of a support assembly of the tray, and configured to receive a first fastener, and a connector receiving element connected to the base, with two parallel sections separated by a space and extending longitudinally beyond an open end of the support assembly of the tray, and configured to receive a second fastener.”

Applicant respectfully submits that the Examiner's summary recitation of the elements of the connector receiving member and the connector receiving element of claims 6, 7 and 12 fails to accurately reflect the scope of said claims. In particular, while the Examiner indicates that the

two parallel sections of the connector receiving member extend transversely across the “width of a base portion of a support assembly of the tray” and are “configured to receive a first fastener,” claims 6, 7 and 12 actually state that the two parallel sections of the connector receiving member extend transversely across “*at least part of* a width of the base portion” and are “arranged to *at least* receive *at least a portion of* a first fastener” (emphasis added). Additionally, while the Examiner indicates that the two parallel sections of the connector receiving element are “configured to receive a second fastener,” claims 6 and 7 actually state that the two parallel sections of the connector receiving element are “arranged to *at least* receive *at least a portion of* a second fastener” (emphasis added). Further, while the Examiner indicates that, with respect to claim 12, the connector receiving member and the connector receiving element are connected to “the base, “ claim 12 actually states that the connector receiving member of the first cable tray is “connected to *at least one of the base portion and a sidewall* of the first cable support assembly” and the connector receiving element of the second cable tray is “connected to *at least one of the base portion and a sidewall* of the second cable support assembly” (emphasis added). Therefore, Applicant submits that the actual recitations of claims 6, 7, and 12, as well as the actual recitations of all the other allowed claims, define the invention claimed therein, as opposed to the Examiner’s summaries thereof.

Respectfully submitted,

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that the following correspondence: ISSUE FEE TRANSMITTAL FORM (Part B) (1 page); COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE (2 pages); CHECK IN THE AMOUNT OF \$1020.00 for issue fee; and RETURN POSTCARD for confirmation of receipt is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: **Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, this the 16TH Day of SEPTEMBER, 2008.



CHRISLIDE MENDEZ, Legal Assistant

Date: September 16, 2008